

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

---

In the Matter of )  
Implementation of Section 621(a)(1) of )  
the Cable Communications Policy Act of 1984 )  
as amended by the Cable Television Consumer )  
Protection and Competition Act of 1992 )

---

MB Docket No. 05-311

**COMMENTS OF CITY OF POST FALLS, IDAHO**

These Comments are filed by the City of Post Falls, Idaho in support of the comments filed by the National Association of Telecommunications Officers and Advisors ("NATOA"). Like NATOA, Post Falls believes that local governments can issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to offer the Commission the following comments.

**Community/Franchise Information**

Post Falls' population is 24,000. Our franchised cable provider is Adelphia Communications. Our community has negotiated cable franchises since 1994. The City of Post Falls renewed our franchise agreement with Adelphia Communications in November, 2004 for a 15-year term. Our franchise requires the cable operator to pay a franchise fee to the City in the amount of 5% of the cable operator's revenues. The revenues for franchise fee purposes are calculated based on the gross revenues of the operator, in accordance with the Federal Cable Act.

We require the cable operator to provide the following capacity for public, educational, and/or governmental ("PEG") access channels on the cable system. In our area, which consists of six cities which have franchise agreements with Adelphia, we currently have 1(one) channel for part-time public access; 1 (one) channel (or capacity) devoted to educational access; and 1 (one) full time channel devoted to government access by the City of Post Falls, and one part-time government access channel for the City of Coeur d'Alene, east of Post Falls.

Our community has never been approached by a competitive provider to provide service. We believe that is due to the rural nature and sparse population in North Idaho which make it unprofitable for companies to compete within the same area.

**Comments**

Local governance is truly the heart of citizenry. It is at a level that citizens have the opportunity to exchange thoughts and ideas with lawmakers and policymakers eye-to-eye and face-to-face.

Local governments strive to meet the basic needs of its community with the least amount of authority.


Of the limited authority that we do have is the control of our rights of way. It is essential that local governments maintain control of those rights of way and our cable franchising authority. It is unlikely that a franchise would be unreasonably withheld as local authorities recognize the value of providing additional cable and communication choices for its citizens.

Cable companies are operating comfortably and profitably, working with local governments to access rights of way and negotiate franchise agreements. There is no reason why any new provider could not do the same.

Local government provides the most essential services to its citizens with the least amount of authority. Please do not further hamstring local government by restricting its ability to govern its rights of way and negotiate reasonable franchise agreements.

Respectfully submitted,

City of Post Falls

By:   
Scott Grant, Council President  
City of Post Falls  
408 N. Spokane Street  
Post Falls, ID 83854

cc: NATOA, [info@natoa.org](mailto:info@natoa.org)  
John Norton, [john.norton@postfallsid.gov](mailto:john.norton@postfallsid.gov)  
Andrew Long, [andrew.long@postfallsid.gov](mailto:andrew.long@postfallsid.gov)